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NO SUMMONS ISSUED

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT  
EASTERN DISTRICT  
OF NEW YORK

Sharon Pitter El, Sui Juris,

IRIZARRY, J.

Plaintiff,

-against-

**NOTICE OF REMOVAL**

Mark J. O'Brien, Steven R. Berrard,  
Ellyn L. Brown, Denmar J. Dixon,  
William J. Meurer, Shannon E. Smith,  
Michael T. Tokarz, Charles E. Cauthen,  
Kimberly A. Perez, and Kristen Aune,

**CV 12-1793**

AZRACK, M.J.

Defendants.

**PLEASE TAKE NOTICE**, that the defendants above-named, Mark J. O'Brien, Steven R. Berrard, Ellyn L. Brown, Denmar J. Dixon, William J. Meurer, Shannon E. Smith, Michael T. Tokarz, Charles E. Cauthen, Kimberly A. Perez and Kristen Aune (hereinafter the "Defendants"), by and through their attorneys, Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C., pursuant to 28 U.S.C. §§ 1441 and 1446, hereby remove the pending action from the Supreme Court of the State of New York, County of Queens, to the United States District Court for the Eastern District of New York, by the filing of this Notice of Removal with the Clerk of the United States District Court of the Eastern District of New York. As grounds therefore, the Defendants state as follows:

1. On or about March 12, 2012, the plaintiff above-named, "Sharon Pitter El", a/k/a Sharon Pitter (hereinafter the "Plaintiff"), filed a Summons with Notice in the New

York State Supreme Court, Queens County. A copy of this Summons with Notice in the State Court action is annexed hereto and made a part hereof as Exhibit "A".

2. The Defendants were purportedly served with the Summons with Notice on or about March 16, 2012.<sup>1</sup>

3. This Notice of Removal is filed within thirty (30) days after the Summons with Notice was first served on any defendant, as required by 28 U.S.C. §1446(b).

4. Copies of the written notices required by 28 U.S.C. §1446(d), addressed to the Plaintiff and to the Clerk of the New York State Supreme Court, Queens County, are annexed hereto and made a part hereof as Exhibit "B". Upon the Defendants' receipt of a Civil Case Number for this action, said notices will be filed with the Clerk of the State Court and served upon the Plaintiff in accordance with the provisions of 28 U.S.C. §1441(d).

5. Defendants remove this action to the United States District Court for the Eastern District of New York pursuant to the provisions of 28 U.S.C. §1441(a), on the ground that this Court has original jurisdiction pursuant to 28 U.S.C. §1331. The claims set forth in the Summons with Notice raise questions of federal law because the Plaintiff alleges that the Defendants have violated the United States Constitution and the United States Code Titles 15 and 18.

6. Accompanying this Notice of Removal are a Civil Cover Sheet and a check in the amount of \$350 for the required filing fee.

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<sup>1</sup> Defendants do not waive the defense of improper service of process.

**WHEREFORE**, the Defendants remove the State Court action from the New York State Supreme Court, Queens County, to this Court and respectfully request that this Court take jurisdiction of this civil action to the exclusion of any further proceedings in said State Court..

DATED: April 6, 2012

CARTER, CONBOY, CASE, BLACKMORE,  
MALONEY & LAIRD, P.C.

By:   
MICHAEL J. CATALFIMO

Bar Roll No.: MC-1002  
Attorneys for Defendants  
Office and P.O. Address  
20 Corporate Woods Boulevard  
Albany, NY 12211-2362  
Phone: (518) 465-3484  
E-Mail: [mcatalfimo@carterconboy.com](mailto:mcatalfimo@carterconboy.com)

CC: SHARON PITTELL  
Plaintiff, *Pro Se*  
16127 118th Road  
Jamaica, NY 11434



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

AFFIDAVIT OF FACT

SUMMONS WITH NOTICE

Index No. 5294/2012

Sharon Pitter El, Sui Juris

Plaintiff(s),

vs.

Date Index No. Purchased

March 12, 2012

Mark J. O'Brien, Steven R. Berrard,

Ellyn L. Brown, Denmar J. Dixon,

William J. Meurer, Shannon E.

Smith, Michael T. Tokarz, Charles

E. Cauthen, Kimberly A. Perez,

Kristen Aune

Defendant (s)

To the Person(s) Named as Defendant(s) above:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to appear in  
this action by serving a notice of appearance on the  
plaintiff(s) at the address set forth below, and to do so within  
20 days after the service of this Summons (not counting the day  
of service itself), or within 30 days after service is complete  
if the summons is not delivered personally to you within the  
State of corporate New York.

1 YOU ARE HEREBY NOTIFIED THAT should you fail to answer or  
2 appear, a judgment will be entered against you by default for  
3 the relief demanded below.

4 Dated: March 12 20 12

5 161-27 118<sup>th</sup> Road Jamaica Territory, New York

6 Republic [11434] North Amexem

7 All Rights Reserved

8 U.C.C 1-207/1-308; U.C.C. 1-103

9 Your address and telephone number

10 Defendant (S) c/o Green Tree Servicing LLC a Subsidiary of Walter Investment Corporation  
11 1160 Centre Pointe Drive Suite 1 Mendota Heights, Minnesota 55120

12 Address(es) of party being sued

13 Notice The nature of this action is:

14 Violation of -

15 a) Bills of Rights IV Amendment ( The right of the people to be  
16 secure in their persons, houses, papers, and effects, against  
17 unreasonable searches and seizures.

18 b) U.S.C. Title 18 chapter 63 section 1341 (Frauds and Swindles)

19 c) U.S.C. Title 18 chapter 47 section 1001 (Statements or  
20 Entries Generally)

21 d) U.S.C. Title 18 chapter 63 section 1349 (Attempt and  
22 Conspiracy)

23 e) U.S.C. Title 18 chapter 19 section 373 (Solicitation to  
24 commit a crime of Violence)

1 f) U.S.C Title 15 chapter 41 section 1692e (False or Misleading  
2 Representation)

3 g) U.S.C Title 15 chapter 41 section 1692d (Harassment or Abuse)

4 h) U.S.C Title 15 chapter 41 section 1692g (Validation of Debts)  
5

6  
7 The relief sought is:

8 1. Produce the Deed of Trust associated with the Loan(s)  
9 numbered 680587318 and 683622757 from your Agency (Green Tree  
10 Servicing LLC a wholly owned subsidiary of Walter Investment  
11 Management Corporation).

12 2. Produce the "Original" certified Promissory Note (front and  
13 back) along with all "Allonges" and "Affixations" associated with  
14 the Loan(s) numbered 680587318 and 683622757 from an Agent or  
15 Agency under the umbrella of Green Tree Servicing LLC. (H.R.  
16 1618)  
17

18 \*All Resceit will be under the Penalty of Perjury, and agreed to  
19 be prosecuted to the fullest extent by law.  
20

21  
22 Should defendant(s) fail to appear here:n, judgment will be  
23 entered by default for the sum of \$3,000,000.00 with interest  
24 from the date of May 21, 2011 and the costs of this action.  
25

26 Venue:

27 Plaintiff(s) designate County as the place of trial

28 The basis of this designation is:

1 ☒ Plaintiff(s) residence in QUEENS County

2 ☐ Defendant(s) residence in \_\_\_\_\_ County

3 ☐ Other [See CPLR Article 5] \_\_\_\_\_

7 Thank You,

8 I am: Sharon Pitter El

9 Sharon Pitter El, Authorized Representative

10 Natural Person, In Propria Persona:

11 Ex Relatione SHARON N. PITTER

12 All Rights Reserved: U.C.C. 1-207/ 1-308;

13 U.C.C. 1-103

15 RAMNIK SINGH  
Notary Public - State of New York  
No. 01516227144  
Qualified in Nassau County  
My Commission Expires August 23, 2014

18 Ramnik Singh  
3-12-12





STATE OF NEW YORK  
SUPREME COURT

COUNTY OF QUEENS

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Sharon Pitter El, Sui Juris,

Plaintiff,

-against-

Mark J. O'Brien, Steven R. Berrard,  
Ellyn L. Brown, Denmar J. Dixon, William  
J. Meurer, Shannon E. Smith, Michael T.  
Tokarz, Charles E. Cauthen, Kimberly  
A. Perez and Kristen Aune,

Defendants.

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**NOTICE TO ADVERSE PARTY OF  
FILING OF NOTICE OF REMOVAL TO THE  
UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF NEW YORK  
Index No. 5294/2012**

**TO: SHARON PITTER EL  
Plaintiff, *Pro Se*  
16127 118th Road  
Jamaica, NY 11434**

**PLEASE TAKE NOTICE**, that a Notice of Removal of this action has been filed in the United States District Court for the Eastern District of New York. Attached is a copy of this Notice of Removal, the filing of which effects the removal of this action to the United States District Court for the Eastern District of New York.

DATED: April \_\_, 2012

CARTER, CONBOY, CASE, BLACKMORE,  
MALONEY & LAIRD, P.C.

By: \_\_\_\_\_

**MICHAEL J. CATALFIMO**  
Attorneys for Defendants  
Office and P.O. Address  
20 Corporate Woods Boulevard  
Albany, NY 12211-2362  
Phone: (518) 465-3484

STATE OF NEW YORK  
SUPREME COURT

COUNTY OF QUEENS

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Sharon Pitter El, Sui Juris,

Plaintiff,

-against-

**NOTICE OF FILING OF**  
**NOTICE OF REMOVAL**  
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Ellyn L. Brown, Denmar J. Dixon, William  
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Tokarz, Charles E. Cauthen, Kimberly  
A. Perez and Kristen Aune,

Defendants.

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**CLERK OF THE SUPREME COURT OF  
THE STATE OF NEW YORK, COUNTY OF QUEENS:**

You are hereby advised that a Notice of Removal of the above-entitled action pursuant to 28 U.S. C. § 1441(b) was filed in the United States District Court for the Eastern District of New York on April \_\_, 2012 under Case No. \_\_\_\_\_. A true and correct copy of said Notice of Removal is annexed hereto as Exhibit "A" and made a part hereof. Pursuant to 28 U.S.C. §1446(d), this Court "shall proceed no further unless and until the case is remanded."

DATED: April \_\_, 2012

CARTER, CONBOY, CASE, BLACKMORE,  
MALONEY & LAIRD, P.C.

By: \_\_\_\_\_

**MICHAEL J. CATALFIMO**

Attorneys for Defendants  
Office and P.O. Address  
20 Corporate Woods Boulevard  
Albany, NY 12211-2362  
Phone: (518) 465-3484

CC: SHARON PITTER EL  
Plaintiff, *Pro Se*  
16127 118th Road  
Jamaica, NY 11434